

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

## CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-110-2011-0029-CX

CASEFILE/PROJECT NUMBER: COC30303AN

PROJECT NAME: Renewal of right-of-way

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado  
T. 3 S., R. 102 W.,  
sec. 2, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 11, NW $\frac{1}{4}$ NW $\frac{1}{4}$ .

APPLICANT: Encana Oil & Gas (USA), Inc. (Encana)

DESCRIPTION OF PROPOSED ACTION: Encana has submitted an application requesting renewal of right-of-way (ROW) COC30303AN which expires February 02, 2011. ROW COC30303AN was issued on February 03, 1981 authorizing a buried 4-inch natural gas pipeline 20 feet wide and 3,450 feet long to serve Federal #11-1.

No new construction is authorized by this action and standard renewal stipulations and applicable terms and conditions of the original grant shall be carried forward.

PLAN CONFORMANCE REVIEW: The proposed action is subject to and has been reviewed for conformance with (43 CFR 1610.5, BLM 1617.3) the following plan:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: Page 2-49

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

**CATEGORICAL EXCLUSION REVIEW:** The proposed action qualifies as a categorical exclusion under 516 DM 11.9, Number (E-9). *Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.*

The proposed action has been reviewed with the list of extraordinary circumstances described in the table below. This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Exception	YES	NO
1. Have significant adverse effects on public health and safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by either the bureau of office.		X
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites.		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.		X

## INTERDISCIPLINARY REVIEW:

The proposed action was presented to and reviewed by the White River Field Office interdisciplinary team on November 30, 2010. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

## REMARKS:

*Cultural Resources:* The proposed action does not involve any new soil disturbance and represents a continuation of an existing right-of-way. There should be no new impacts to cultural resources under the proposed action. (MRS 12/3/2010)

*Native American Religious Concerns:* No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 12/3/2010)

*Paleontological Resources:* The proposed action is located in an area generally mapped as the Mesa Verde Formation (Tweto 1979) which the BLM WRFO has classified as a PFYC 5 formation, meaning it is known to produce scientifically noteworthy fossil resources (Armstrong and Wolny 1989). Provided no new excavations are required, there should be no new impacts to fossil resources.

*Threatened and Endangered Wildlife Species:* There are no wildlife-related issues or concerns associated with a right-of-way renewal. (LB 12/15/10)

*Hazardous and Solid Wastes:* The proposed activities will use regulated materials and will generate some solid and sanitary wastes. The potential for harm to the environment is presented by risks associated with spills of fuel, oil, and/or hazardous substances during oil and gas operations. Accidents and mechanical breakdown of machinery are also possible. The following mitigation should be applied: (CJB 12/28/2010)

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's

capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.

4. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the Bureau of Land Management's White River Field Office.
5. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.
6. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.
7. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the holder of any liability or responsibility.
8. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

*Threatened and Endangered Plant Species:* This right-of way renewal has no potential to impact threatened and/or endangered plant species. (MT 12/28/2010)

## REFERENCED CITED:

Armstrong, Harley J. and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado. Grand Junction, Colorado.

Tweto, Ogden

1979 Geological Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION: All applicable terms, conditions, and stipulations of the original grant will be carried forward and remain in full force and effect.

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110% of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
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COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by WRFO staff. Specific mitigation developed in the associated Categorical Exclusion and brought forward from the original grant will be followed.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DECISION AND RATIONALE: I have reviewed this CX and have decided to approve the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

1/21/11

ATTACHMENTS: Exhibit A – Map of proposed action



Right-of-way COC30303AN Renewal  
T. 3 S., R. 102 W.

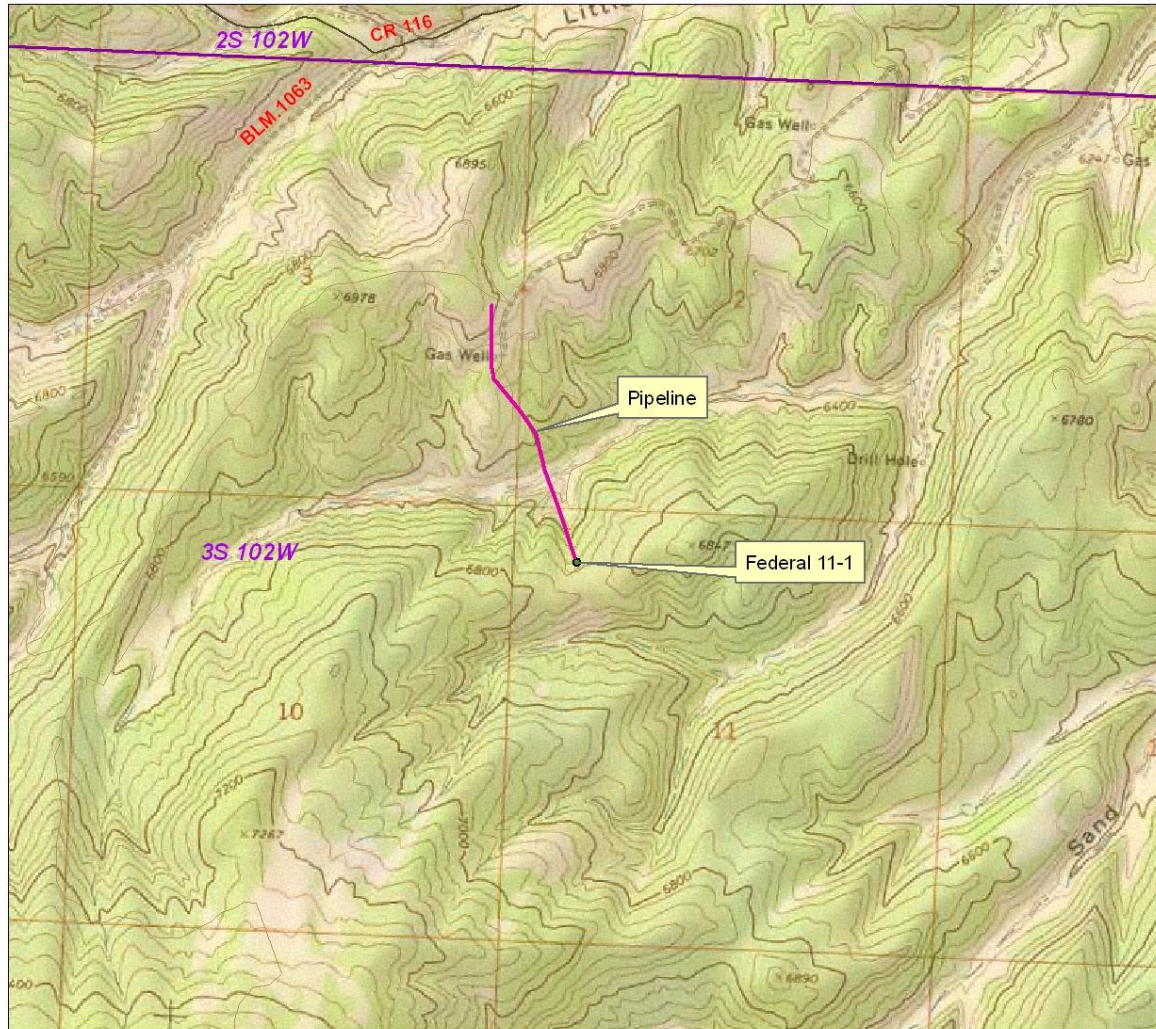
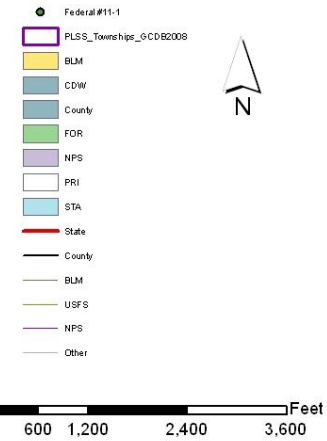


EXHIBIT A



Sources:  
BLM, USGS, CDOW, etc.

Disclaimer:  
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November 2010

